

HOUSE BILL 3922

By Camper

AN ACT to amend Tennessee Code Annotated, Title 57  
and Title 67, relative to relative to amount and  
distribution of tax revenue.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-302(b), is amended by deleting the language "four dollars and forty cents (\$4.40)" and by substituting instead the language "four dollars and eighty-four cents (\$4.84)".

SECTION 2. Tennessee Code Annotated, Section 57-3-306, is amended by adding the following as a new subsection:

(e)

(1) For purposes of this subsection (e), "local law enforcement agency"

means:

(A) Within the territory of a municipality, the municipal police  
department;

(B) Within the territory of a county having a metropolitan form of  
government, the metropolitan police department; or

(C) Within the unincorporated territory of a county, the sheriff's  
office.

(2) Notwithstanding subsections (a) and (b), or any other law to the  
contrary, forty percent (40%) of the revenue generated from the increase in the  
tax from four dollars and forty cents (\$4.40) to four dollars and eighty-four cents  
(\$4.84) shall be allocated to funding for crime prevention grants.

(A) The department of finance and administration, office of criminal justice programs, shall award, administer, and evaluate crime prevention grants.

(B) Through the office of criminal justice programs, any local law enforcement agency within this state may apply for crime prevention grant funds to fund costs directly related to the prevention of crime.

(C) In order to effectuate the purposes of this subsection (e), the commissioner of finance and administration may promulgate rules and regulations for the award, administration, and evaluation of crime prevention grants. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(3) Notwithstanding subsections (a) and (b), or any other law to the contrary, thirty percent (30%) of the revenue generated from the increase in the tax from four dollars and forty cents (\$4.40) to four dollars and eighty-four cents (\$4.84) shall be allocated to funding the grants authorized by the Drug Court Treatment Act of 2003, compiled in title 16, chapter 22.

(4)

(A) Notwithstanding subsections (a) and (b); or any other law to the contrary, thirty percent (30%) of the revenue generated from the increase in the tax from four dollars and forty cents (\$4.40) to four dollars and eighty-four cents (\$4.84) shall be allocated to funding grants for community mental health centers and other elements of the community based system of services and supports for persons with mental illness; or

at risk for mental illness, and who are also at risk for engaging in criminal activity.

(B) The department of mental health and developmental disabilities shall award, administer, and evaluate the grants that are authorized by this subdivision.

SECTION 3. Tennessee Code Annotated, Section 67-4-1004, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) The rate shall be four cents (4¢) on each cigarette.

SECTION 4. Tennessee Code Annotated, Section 67-4-1025, is amended by adding the following as a new subsection:

(f)

(1) For purposes of this subsection (f), "local law enforcement agency"

means:

(A) Within the territory of a municipality, the municipal police department;

(B) Within the territory of a county having a metropolitan form of government, the metropolitan police department; or

(C) Within the unincorporated territory of a county, the sheriff's office.

(2) Notwithstanding subsections (a), (b), (d) and (e), or any other law to the contrary, forty percent (40%) of the revenue generated from the increase in the tax rate from three cents (3¢) to four cents (4¢) on each cigarette shall be allocated to funding for crime prevention grants.

(A) The department of finance and administration, office of criminal justice programs, shall award, administer, and evaluate crime prevention grants.

(B) Through the office of criminal justice programs, any local law enforcement agency within this state may apply for crime prevention grant funds to fund costs directly related to the prevention of crime.

(3) Notwithstanding subsections (a), (b), (d) and (e), or any other law to the contrary, thirty percent (30%) of the revenue generated from the increase in the tax rate from three cents (3¢) to four cents (4¢) on each cigarette shall be allocated to funding the grants authorized by the Drug Court Treatment Act of 2003, compiled in title 16, chapter 22.

(4)

(A) Notwithstanding subsections (a), (b), (d) and (e), or any other law to the contrary, thirty percent (30%) of the revenue generated from the increase in the tax rate from three cents (3¢) to four cents (4¢) on each cigarette shall be allocated to funding grants for community mental health centers and other elements of the community based system of services and supports for persons with mental illness, or at risk for mental illness, and who are also at risk for engaging in criminal activity.

(B) The department of mental health and developmental disabilities, shall award, administer, and evaluate the grants that are authorized by subdivision (f)(3)(A).

(C) In order to effectuate the purposes of this subsection (f), the commissioner of mental health and developmental disabilities may promulgate rules and regulations for the award, administration, and

evaluation of grants for mental health services that are designed to lessen the likelihood that service recipients will engage in criminal activity. All such rules and regulations shall be promulgated in accordance with Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 5. This act shall take effect July 1, 2010, the public welfare requiring it.